

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE

MARK OHMER,)
)
Plaintiff,)
)
v.) No.: 3:19-CV-355-TAV-SKL
)
COMMISSIONER OF SOCIAL SECURITY,)
)
Defendant.)

ORDER

This Social Security appeal is before the Court on the Report and Recommendation (“R&R”) entered by United States Magistrate Judge Susan K. Lee, on August 24, 2020 [Doc. 28]. There have been no timely objections to the R&R and enough time has passed since the filing of the R&R to treat any objections as having been waived. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). In the R&R, the magistrate judge recommends that plaintiff’s Motion for Summary Judgment [Doc. 18] be granted in part and defendant’s Motion for Summary Judgment [Doc. 23] be denied.

The Court has carefully reviewed this matter, including the underlying motions, and the Court is in agreement with the magistrate judge’s recommendations, which the Court adopts and incorporates into its ruling. Accordingly, the Court **ACCEPTS IN WHOLE** the R&R [Doc. 28], and it is **ORDERED** that plaintiff’s Motion for Summary Judgment [Doc. 18] is **GRANTED IN PART** and defendant’s Motion for Summary Judgment [Doc. 23] is **DENIED**. The Commissioner’s decision denying benefits is **REVERSED AND REMANDED** for further proceedings consistent with the magistrate

judge's report [Doc. 28]. This action is **DISMISSED**. The Clerk is **DIRECTED** to **CLOSE** this case.

IT IS SO ORDERED.

s/ Thomas A. Varlan
UNITED STATES DISTRICT JUDGE

ENTERED AS A JUDGMENT

s/ John L. Medearis
CLERK OF COURT